

**BROWN RUDNICK LLP**

David J. Molton  
Seven Times Square  
New York, New York 10036  
Telephone: (212) 209-4800

*Counsel for the Foreign Representatives*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

<b>In re:</b>	) <b>Chapter 15 Case</b>
	)
<b>FAIRFIELD SENTRY LIMITED, et al.,</b>	) <b>Case No. 10-13164 (SMB)</b>
	)
<b>Debtors in Foreign Proceedings.</b>	) <b>Jointly Administered</b>
	)
<b>FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and</b>	)
<b>FAIRFIELD SIGMA LIMITED (IN LIQUIDATION),</b>	)
<b>acting by and through the Foreign Representatives thereof,</b>	)
<b>and KENNETH KRYS and CHARLOTTE CAULFIELD,</b>	)
<b>solely in their capacities as Foreign Representatives and</b>	) <b>Adv. Pro. No. 10-03635</b>
<b>Liquidators thereof,</b>	) <b>(SMB)</b>
<b>Plaintiffs,</b>	)
	)
<b>-against-</b>	)
	)
<b>ABN AMRO SCHWEIZ AG A/K/A ABN AMRO</b>	)
<b>(SWITZERLAND) AG, ADLER AND CO PRIVATBANK</b>	)
<b>AG, ALLIANZBANK SPA/UNIFORTUNE</b>	)
<b>CONSERVATIVE SIDE POCKET, ALTERNATIVE</b>	)
<b>INVESTMENT STRATEGIES, ARSENAL SPC, ARSENAL</b>	)
<b>SPC OBO GLASGOW SEG PORT, BANCA ARNER SA,</b>	)
<b>BANCA UNIONE DI CREDITO, BANK HAPOALIM</b>	)
<b>SWITZERLAND LTD., BANK JULIUS BAER &amp; CO.</b>	)
<b>LTD., BANK SARASIN &amp; CIE, BANQUE CANTONALE</b>	)
<b>VAUDOISE, BANQUE CRAMER &amp; CIE SA, BBVA</b>	)
<b>(SUISSE) SA, BCV AMC DEFENSIVE AL FUND, BNP</b>	)
<b>PARIBAS (SUISSE) SA, BNP PARIBAS (SUISSE) SA EX</b>	)
<b>FORTIS, BNP PARIBAS (SUISSE) SA PRIVATE, BSI AG,</b>	)
<b>BSI EX BANCA DEL GOTTARDO, CACEIS BANK</b>	)
<b>LUXEMBOURG, CBB (BVI)/ THE ALKIMA FUND, CBT</b>	)
<b>GEMS LOW VOL REG, COMPAGNIE BANCAIRE</b>	)
<b>HELVETIQUE, CENTRUM BANK AG (AMS),</b>	)
<b>CLARIDEN LEU LTD., CORNER BANCA SA, CREDIT</b>	)
<b>SUISSE AG ZURICH, DEXIA BANQUE</b>	)
<b>INTERNATIONAL A, LUXEMBOURG, DRESDNER</b>	)

## Defendants.

**AGAINST DEFENDANT SELLA BANK AG**

SOUTHERN DISTRICT OF NEW YORK

appointed Liquidators and Foreign Representatives of Fairfield Sentry Limited (In Liquidation)

and Fairfield Sigma Limited (In Liquidation), by and through their undersigned counsel, respectfully request entry of default and execution of a certificate of default, pursuant to Bankruptcy Local Rule 7055-1, Federal Rule of Bankruptcy Procedure 7055, and Federal Rule of Civil Procedure 55, against Defendant Sella Bank AG for its failure to plead or otherwise defend the above-captioned action, as fully appears from the court file herein and from the attached Declaration of David J. Molton.

Dated: New York, New York  
October 13, 2017

Respectfully submitted,

**BROWN RUDNICK LLP**

By: /s/ David J. Molton  
David J. Molton  
May Orenstein  
Marek P. Krzyzowski  
7 Times Square  
New York, New York 10036  
Tel.: (212) 209-4800  
Fax: (212) 209-4801  
dmolton@brownrudnick.com  
morenstein@brownrudnick.com  
mkrzyzowski@brownrudnick.com

*Counsel for the Foreign Representatives*

**BROWN RUDNICK LLP**

David J. Molton  
Seven Times Square  
New York, New York 10036  
Telephone: (212) 209-4800

*Counsel for the Foreign Representatives*

**UNITED STATES BANKRUPTCY COURT  
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<b>Debtors in Foreign Proceedings.</b>	) <b>Jointly Administered</b>
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<b>FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and</b>	)
<b>FAIRFIELD SIGMA LIMITED (IN LIQUIDATION),</b>	)
<b>acting by and through the Foreign Representatives thereof,</b>	)
<b>and KENNETH KRYS and CHARLOTTE CAULFIELD,</b>	)
<b>solely in their capacities as Foreign Representatives and</b>	) <b>Adv. Pro. No. 10-03635</b>
<b>Liquidators thereof,</b>	) <b>(SMB)</b>
<b>Plaintiffs,</b>	)
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<b>ABN AMRO SCHWEIZ AG A/K/A ABN AMRO</b>	)
<b>(SWITZERLAND) AG, ADLER AND CO PRIVATBANK</b>	)
<b>AG, ALLIANZBANK SPA/UNIFORTUNE</b>	)
<b>CONSERVATIVE SIDE POCKET, ALTERNATIVE</b>	)
<b>INVESTMENT STRATEGIES, ARSENAL SPC, ARSENAL</b>	)
<b>SPC OBO GLASGOW SEG PORT, BANCA ARNER SA,</b>	)
<b>BANCA UNIONE DI CREDITO, BANK HAPOALIM</b>	)
<b>SWITZERLAND LTD., BANK JULIUS BAER &amp; CO.</b>	)
<b>LTD., BANK SARASIN &amp; CIE, BANQUE CANTONALE</b>	)
<b>VAUDOISE, BANQUE CRAMER &amp; CIE SA, BBVA</b>	)
<b>(SUISSE) SA, BCV AMC DEFENSIVE AL FUND, BNP</b>	)
<b>PARIBAS (SUISSE) SA, BNP PARIBAS (SUISSE) SA EX</b>	)
<b>FORTIS, BNP PARIBAS (SUISSE) SA PRIVATE, BSI AG,</b>	)
<b>BSI EX BANCA DEL GOTTARDO, CACEIS BANK</b>	)
<b>LUXEMBOURG, CBB (BVI)/ THE ALKIMA FUND, CBT</b>	)
<b>GEMS LOW VOL REG, COMPAGNIE BANCAIRE</b>	)
<b>HELVETIQUE, CENTRUM BANK AG (AMS),</b>	)
<b>CLARIDEN LEU LTD., CORNER BANCA SA, CREDIT</b>	)
<b>SUISSE AG ZURICH, DEXIA BANQUE</b>	)
<b>INTERNATIONAL A, LUXEMBOURG, DRESDNER</b>	)

BANK SCHWEIZ, EFG BANK SA SWITZERLAND, EFG	)
EUROFINANCIER D'INVEST MCL, ENDURANCE	)
ABSOLUTE LTD. MASTER, FAIRFIELD INVESTMENT	)
GCI, FAIRFIELD INVESTMENT FUND LTD., FALCON	)
PRIVATE BANK, FIF ADVANCED LTD., FINTER BANK	)
ZURICH, HARMONY CAPITAL FUND LTD., HSBC,	)
IHAG HANDELSBANK AG, INCORE BANK AG,	)
KARASEL ENHANCED PORTFOLIO, KARLA	)
MULTISTRATEGIES LTD., LGT BANK IN	)
LIECHTENSTEIN AG, LIECHTENSTEINISCHE LB	)
REINVEST AMS, LLOYDS TSB BANK GENEVA,	)
LOMBARD ODIER DARIER HENTSCH & CIE,	)
LONGBOAT LTD., MASTER CAPITAL AND HEDGE	)
FUND, NATIONAL BANK OF KUWAIT, NBK BANQUE	)
PRIVEE SUISSE SA, PICTET & CIE, PKB PRIVATBANK	)
AG, QUASAR FUNDS SPC A/K/A QUASAR FUND SPC	)
CLASS A AND CLASS B CGCNV, RBC DEXIA	)
INVESTOR SERVICE JULIUS BAER SICAV, RBS	)
COUTTS BANK LTD., RICHOURT AAA	)
MULTISTRATEGIES, ROTHSCHILD BANK AG	)
ZURICH (DUBLIN) A/K/A ROTHSCHILD BANK AG,	)
ROTHSCHILD BANK GENEVA (DUBLIN),	)
ROTHSCHILD LUGANO DUBLIN A/K/A BANCA	)
PRIVATA EDMOND DE ROTHSCHILD LUGANO S.A.,	)
SELLA BANK AG, SIS SEEGANINTERSETTLE, SIX SIS	)
LTD., SOCIETE GENERALE BANK & TRUST,	)
SOUNDVIEW FUND, SWISSCANTO FD CENTRE	)
CLIENTS A/C, T1 GLOBAL FUND LTD., UBS AG NEW	)
YORK, UBS AG ZURICH, UBS JERSEY NOMINEES,	)
VERWALTUNGS UND PRIVAT-BANK AG	)
AKTIENGESELLSCHAFT (AMS), VORARLBERGER	)
LANDES UND HYPOTHEKENBANK	)
AKTIENGESELLSCHAFT AND BENEFICIAL OWNERS	)
OF ACCOUNTS HELD IN THE NAME OF CGC NA 1-	)
1000,	)
	)
	)
Defendants.	)

**DECLARATION OF DAVID J. MOLTON  
PURSUANT TO FED R. BANKR. P. RULE 7055**

I, DAVID J. MOLTON, make this declaration under 28 U.S.C. § 1746 and state as follows:

1. I am an attorney of record for Plaintiffs Kenneth M. Kryz and Charlotte Caulfield, in their capacities as the duly appointed Liquidators and Foreign Representatives (the

“Liquidators” or “Plaintiffs”) of Fairfield Sentry Limited (In Liquidation) (“Sentry”) and Fairfield Sigma Limited (In Liquidation) (“Sigma”), in the above-referenced adversary proceeding. I am authorized to make this Declaration and have personal knowledge of the facts stated herein. I make this Declaration in support of Plaintiffs’ request that the Clerk of the Court enter default and execute a Certificate of Default against Defendant Sella Bank AG (“Defendant”).

2. On April 20, 2010, Sentry commenced an action against Defendant in the Supreme Court of the State of New York by filing a Summons with Notice.

3. On July 22, 2010, the Court issued a decision and order recognizing the liquidation proceedings for Sentry, Sigma, and Fairfield Lambda Limited (In Liquidation) (“Lambda”), in the British Virgin Islands (the “BVI Liquidations”) as foreign main proceedings under Chapter 15 (the “United States Recognition Order”).

4. After the entry of the United States Recognition Order, on September 7, 2010, the New York state court action against Defendant was removed to the United States District Court for the Southern District of New York. By Order dated September 7, 2010, the action was then transferred to the United States Bankruptcy Court for the Southern District of New York [Dkt. No. 1]. The docket for this Adversary Proceeding was opened by the Bankruptcy Court on September 21, 2010.

5. Plaintiffs filed the original Complaint (the “Original Complaint”) against the Defendant on September 21, 2010 [Dkt. No. 8]. A Summons and Notice of Pre-Trial Conference in an Adversary Proceeding (the “Summons”) was duly issued to the Defendant by the Clerk of the Bankruptcy Court on October 4, 2010 [Dkt. No. 11].

6. On October 22, 2010, the Summons and Original Complaint were duly served on the Defendant via International Registered Mail by depositing same in an official depository under the exclusive care and custody of the United States Postal Service [Dkt. No. 79].<sup>1</sup>

7. By Order dated November 18, 2010, the Court consolidated certain adversary proceedings commenced by Plaintiffs, including this Adversary Proceeding (the “Adversary Proceedings”).

8. After consolidation, on January 10, 2011, Plaintiffs filed the First Amended Complaint (the “First Amended Complaint”) against the Defendant [Dkt. No. 67].

9. On January 26, 2011, the First Amended Complaint was duly served on the Defendant via International Registered Mail by depositing same in an official depository under the exclusive care and custody of the United States Postal Service [Dkt. No. 78].

10. On May 3, 2011, Plaintiffs filed the Second Amended Complaint (the “Complaint”) against the Defendant [Dkt. No. 86].

11. On May 10, 2011, the Complaint was duly served on the Defendant via International Registered Mail by depositing same in an official depository under the exclusive care and custody of the United States Postal Service. The Affidavits of Service evidencing service are on file in this adversary proceeding [Dkt. Nos. 78, 79, and 91] and are annexed hereto as **Exhibit A**.<sup>2</sup>

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<sup>1</sup> The Subscription Agreement concerning these claims, to which Defendant is bound, provides that “Subscriber consents to the service of process out of any New York court in any such Proceeding by the mailing of copies thereof, by certified or registered mail, return receipt requested, addressed to the Subscriber at the address of Subscriber then appearing on the Fund’s records.” (Complaint, ¶ 19.)

<sup>2</sup> Under the Order Establishing Case Management Procedures to Govern Redeemer Actions, filed on May 5, 2012 [Consol. Adv. Pro. No. 10-03496, Dkt. No. 467] (the “2012 CMO”), Plaintiffs were direct to serve on defendants in the Adversary Proceedings, only the initial complaint and summons. Plaintiffs were required to serve hard copies of any amended complaints only on “defendants being added to the action

12. On October 19, 2011, the Court (Lifland, J.) issued an Order staying the Adversary Proceedings, including this Action, subject to certain exceptions enumerated therein (the “Stay Order”) [Consol. Adv. Pro. No. 10-03496, Dkt. No. 418], pending developments in connection with an appeal of certain orders and a judgment entered in proceedings before the British Virgin Islands High Court of Justice, Commercial Division (the “BVI Redeemer Actions”). The Stay Order had the effect of deferring to a later date the deadlines to move, answer, or otherwise respond to the complaints in the Adversary Proceedings. The Court revisited the move and answer deadlines in July 2016 as described below.

13. Plaintiffs filed the Third Amended Complaint against the Defendant on July 20, 2012 [Dkt. No. 121].

14. On July 7, 2016, following the issuance of a decision in the BVI Redeemer Actions, the Liquidators sought a status conference to lift the stay and proceed with the Adversary Proceedings. [Consol. Adv. Pro. No. 10-03496, Dkt. No. 897].

15. A status conference was held by the Court on July 27, 2016, at which time Plaintiffs sought permission to proceed with the amendment of certain complaints, including the complaint against Defendant. At the status conference, the Court directed Plaintiffs to file the proposed amended complaints and directed the parties to meet and confer after the proposed amended complaints were filed as to a schedule for briefing. [Consol. Adv. Pro. No. 10-3496, Dkt. No. 906, at 69:18-21, 73:2-6.]

16. Pursuant to the directive of the Court, on September 20, 2016, Plaintiffs filed the Proposed Fourth Amended Complaint against Defendant. On October 18, 2016, counsel for Plaintiffs and certain appearing defendants presented to the Court a joint supplemental case

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through such amendment.” (*Id.* ¶ 11.) Further, the 2012 CMO provided that “[n]o Affidavits of Service need be filed with the Court or served on any party, other than with respect to service of complaints and summonses pursuant to paragraph 11.” (*Id.* ¶ 12.)



management order setting forth an integrated briefing schedule for: (a) Plaintiffs' motion for leave to file amended complaints; and (b) motions to dismiss to be filed by defendants in the Adversary Proceedings. The proposed joint supplemental case management order provided non-appearing defendants with an opportunity to participate in the motion practice. On October 21, 2016, the Court signed the Supplemental Case Management Order (the "Supplemental CMO"). [Consol. Dkt. Adv. Pro. No. 10-03496, No. 918].

17. The Court set the following deadlines in the Supplemental CMO, *inter alia*:

- a. January 13, 2017, for the defendants to file a consolidated motion to dismiss; and
- b. January 27, 2017, for all defendants to file an individual or supplemental motion to dismiss, or to join the consolidated motion to dismiss.<sup>3</sup>

18. The Supplemental CMO also provides that "[n]othing in this [Supplemental CMO] shall limit Plaintiffs' rights, if any, with respect to any Defendant that fails to appear or move to dismiss (or join the Motion to Dismiss) by January 27, 2017, including but not limited to seeking entries of default . . . ." See Supplemental CMO, ¶ III.C.

19. Defendant has not appeared in this Adversary Proceeding, nor has it filed an answer or otherwise responded to the Complaint. The time for Defendant to answer, move to dismiss, join the Consolidated Motion to Dismiss, or otherwise respond to the Complaint under the Supplemental CMO has now expired.

20. The Defendant is neither an infant, in the military, nor an incompetent person.

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<sup>3</sup> Pursuant to the Supplemental CMO, "[a]ny Defendant properly served that fails to move to dismiss (or join the Motion to Dismiss) on or before January 27, 2017 shall not be permitted to later move to dismiss (or join the Motion to Dismiss) unless such Defendant seeks leave from this Court and good cause is shown by such Defendant for its failure to timely move." See Supplemental CMO, ¶ I.F.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 13, 2017 at New York, New York.

/s/ David J. Molton

David J. Molton

## **EXHIBIT A**



LUXEMBOURG, CBB (BVI)/ THE ALKIMA FUND, )  
 CBT GEMS LOW VOL REG, COMPAGNIE )  
 BANCAIRE HELVETIQUE, CENTRUM BANK AG )  
 (AMS), CLARIDEN LEU LTD., CORNER BANCA SA, )  
 CREDIT SUISSE AG ZURICH, DEXIA BANQUE )  
 INTERNATIONAL A LUXEMBOURG, DRESDNER )  
 BANK SCHWEIZ, EFG BANK SA SWITZERLAND, )  
 EFG EUROFINANCIER D'INVEST MCL, )  
 ENDURANCE ABSOLUTE LTD. MASTER, )  
 FAIRFIELD INVESTMENT GCI, FAIRFIELD )  
 INVESTMENT FUND LTD., FAIRFIELD MASTERS )  
 LTD., FALCON PRIVATE BANK, FCL IFP GLOBAL )  
 DIVERSIFIED CLS, FIF ADVANCED LTD., FINTER )  
 BANK ZURICH, HARMONY CAPITAL FUND LTD., )  
 IHAG HANDELSBANK AG, INCORE BANK AG, JP )  
 MORGAN (SUISSE) SA, KARLA MULTISTRATEGIES )  
 LTD., KBC INVESTMENTS LTD., LGT BANK IN )  
 LIECHTENSTEIN AG, LIECHTENSTEINISCHE LB )  
 REINVEST AMS, LLOYDS TSB BANK GENEVA, )  
 LOMBARD ODIER DARIER HENTSCH & CIE, )  
 LONGBOAT LTD., MASTER CAPITAL AND HEDGE )  
 FUND, NBK BANQUE PRIVEE SUISSE SA, PICTET & )  
 CIE, PKB PRIVATBANK AG, PRIVATE SPACE LTD., )  
 QUASAR FUNDS SPC a/k/a QUASAR FUND SPC )  
 CLASS A AND CLASS B CGCNV, RBC DEXIA )  
 INVESTOR SERVICE JULIUS BAER SICAV, RBS )  
 COUTTS BANK LTD., RICHOURT AAA )  
 MULTISTRATEGIES, ROTHSCHILD BANK AG )  
 ZURICH (DUBLIN) a/k/a ROTHSCHILD BANK AG, )  
 ROTHSCHILD BANK GENEVA (DUBLIN), )  
 ROTHSCHILD LUGANO DUBLIN a/k/a BANCA )  
 PRIVATA EDMOND DE ROTHSCHILD LUGANO S.A., )  
 SELLA BANK AG, SIS SEEGANINTERSETTLE, SIX )  
 SIS LTD., SOCIETE GENERALE BANK & TRUST, )  
 SOUNDVIEW FUND, SPRINGER FUND OF FUNDS )  
 LTD., SWISSCANTO FD CENTRE CLIENTS A/C, T1 )  
 GLOBAL FUND LTD., TEOREMA ALTERNATIVE )  
 STRATEGIES, UBS AG NEW YORK, UBS AG )  
 ZURICH, UBS JERSEY NOMINEES, VERWALTUNGS )  
 UND PRIVAT-BANK AG AKTIENGESELLSCHAFT )  
 (AMS), VORARLBERGER LANDES UND )  
 HYPOTHEKENBANK ANKIENGESELLSCHARFT and )  
 BENEFICIAL OWNERS OF ACCOUNTS HELD IN )  
 THE NAME OF CGC NA 1-1000,

**Defendants.**



UBS AG New York  
101 Park Avenue  
New York NY 10178

Bank Hapoalim (Suisse) Ltd.  
c/o Hapoalim U.S.A. Holding Company, Inc.  
Attn: Roni Leshchinski, Chief Executive Officer  
1177 Ave Of The Americas  
New York, New York 10036

Beneficial Owners of the Accounts Held in the Name of  
Bank Hapoalim (Suisse) Ltd. 1-1000  
c/o Bank Hapoalim (Suisse) Ltd.  
c/o Hapoalim U.S.A. Holding Company, Inc.  
Attn: Roni Leshchinski, Chief Executive Officer  
1177 Ave Of The Americas  
New York, New York 10036

4. On the 26th day of January, 2011, I caused to be served a true and correct copy of the First Amended Complaint against ABN AMBRO Schweiz AG a/k/a ABN AMRO (Switzerland) AG, et al., filed in this proceeding, by enclosing same in a postage pre-paid envelope to be delivered via International Registered Mail and depositing same in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon the following:

**SEE ATTACHED SERVICE LIST**

/s/ Christopher Michael Lau Kamg  
Christopher Michael Lau Kamg

Sworn to before me this  
6th day of April, 2011.

/s/ Vicki A. Goldstein  
Notary Public

No. 01G05078233  
Qualified in Queens County  
Commission Expires May 19, 2011



**SERVICE LIST**

**ABN Amro Schweiz AG**

c/o Citco Global Custody NV  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**ABN Amro Schweiz AG**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**ABN Amro Schweiz AG**

c/o ABN AMRO Private Banking (Switzerland)  
Case postale 3026  
CH-1211 Genève 3  
Switzerland

**ABN AMRO Schweiz AG a/k/a ABN AMRO (Switzerland) AG**

Beethovenstrasse 33  
8002 Zurich, Switzerland

**Adler and Co. Privatbank AG**

c/o Citco Global Custody NV  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Adler and Co. Privatbank AG**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Adler and Co. Privatbank AG**

Claridenstrasse 22  
8022 Zürich  
Switzerland

**Adler and Co Privatbank AG**

Claridenstreesse 22  
CH-8022 Zurich  
Switzerland

**Allianzbank SPA/Unifortune Conservative Side Pocket**

c/o Citco Global Custody N.V.  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Allianzbank SPA/Unifortune Conservative Side Pocket**

c/o Citco Global Custody N.V.  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Allianzbank SPA/Unifortune Conservative Side Pocket**

c/o AllianzBank S.p.A.  
Piazza Erculea 15  
20122 Milano  
Italy

**Allianzbank SPA/Unifortune Conservative Side Pocket**

Via Donizetti 53  
Milan 20128  
Italy

**Alternative Investment Strategies**

Trafalgar Court  
Admiral Park  
St Peter Port  
Guernsey GY1 2JA

**Alternative Investment Strategies**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Alternative Investment Strategies**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Alternative Investment Strategies**

c/o Absolute Performance Ltd.  
Bamboo Gate  
11 Harbour Road  
Paget PG 03  
Bermuda

**Arsenal SPC**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Arsenal SPC**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Arsenal SPC**

Corporate Centre West Bay Road  
P.O. Box 31106  
SMB  
Grand Cayman, Cayman Islands

**Arsenal SPC OBO Glasgow SEG Port**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Arsenal SPC OBO Glasgow SEG Port**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Arsenal SPC Obo Glasgow SEG Port**

Rue de la Croiz 19  
1203 Geneva, Switzerland

**Banca Arner SA**

c/o Citco Global Custody NV  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Banca Arner SA**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Cork, Ireland

**Banca Arner SA**

Piazza Manzoni 8  
CH-6901 Lugano  
Switzerland

**Banca Unione Di Credito**

c/o Citco Global Custody NV  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Banca Unione Di Credito**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Banca Unione Di Credito**

c/o BSI SA  
Palazzo Riva  
Via Magatti 2  
6900 - Lugano - CH  
P.O. Box 5886, Lugano – CH  
Switzerland

**Banca Unione di Credito**

Piazza Dante 7  
CH-6901 Lugano  
Switzerland

**Bank Hapoalim (Suisse) Ltd.**

18 Boulevard Royal  
B.P. 703  
L-2017 Luxembourg

**Bank Hapoalim Switzerland Ltd**

Stockerstrasse 33  
P.O. Box 1801  
CH-8027 Zurich  
Switzerland

**Bank Julius Baer & Co. Ltd.**

Bahnhofstrasse, 36 – P.O. Box  
8010 Zurich  
Switzerland

**Bank Julius Baer & Co. Ltd**

Hohlstrasse 602  
CH-8010 Zurich  
Switzerland

**Bank Sarasin & Cie**

Bk Sarasin & Cie Basel  
62 Elisabethenstrasse  
Postfach  
Basel CH-4002  
Switzerland

**Bank Sarasin & Cie**

c/o Citco Global Custody NV  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Bank Sarasin & Cie**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road

Cork, Ireland

**Bank Sarasin & Cie**

Elisabethenstrasse 62  
CH-4002 Basel  
Switzerland

**Banque Cantonale Vaudoise**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Banque Cantonale Vaudoise**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Banque Cantonale Vaudoise**

Place St-François 14  
1003 Lausanne  
Switzerland

**Banque Cantonale Vaudoise**

BCV  
Case postale 300  
1001 Lausanne  
Switzerland

**Banque Cantonale Vaudoise**

Place St. Francois 14  
CH-1001 Lausanne  
Switzerland

**Banque Cramer & CIE SA**

22 Avenue de Miremont  
1206 Genève, Switzerland

**Banque Cramer & CIE SA**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Banque Cramer & CIE SA**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Banque Cramer & Cie**

20-22 Avenue de Miremont  
P.O. Box 403  
CH-1211 Geneva 12  
Switzerland

**Banque Safdie SA**

1, rue de la Tour-de-l'Ile  
Case postale 5415  
CH-1211 Genève 11

**Banque Safdie SA**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Banque Safdie SA**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Barclay's Bank PLC Singapore Wealth**

Level 29, South Tower  
One Raffles Quay South Tower  
Singapore 048583

**Barclay's Bank PLC Singapore Wealth**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Barclay's Bank PLC Singapore Wealth**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road

Cork, Ireland

**Barclay's Bank PLC Singapore Wealth a/k/a Barclays Bank PLC**

Level 28 One Raffles Quay  
South Tower, Singapore 048583  
Singapore

**BBH Lux Guardian II a/k/a Brown Brothers Harriman**

2-8, Avenue Charles de Gaulle  
Luxembourg L-2014  
Luxembourg

**BBH Lux Guardian II**

c/o Citco Global Custody N.V.  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BBH Lux Guardian II**

c/o Brown Brothers Harriman (Luxembourg) S.C.A  
2-8 Avenue Charles De Gaulle  
B.P. 403  
L-2014, Luxembourg

**BBH Lux Ref Fairfield GRN**

c/o Brown Brothers Harriman (Luxembourg)  
2-8, Avenue Charles de Gaulle  
L-2014 LUXEMBOURG

**BBH Lux Ref Fairfield GRN**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BBH Lux Ref Fairfield GRN**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BBH Lux Ref Fairfield GRN**

33 Boulevard Prince Henri BP 403  
Luxembourg L 2014



Luxembourg

**BCV AMC Defensive AL Fund**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BCV AMC Defensive AL Fund**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BCV AMC Defensive AL Fund**

Place St. Francois  
CH-1001 Lausanne  
Switzerland

**BNP Paribas (Suisse) SA**

c/o Citco Global Custody N.V.  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BNP Paribas (Suisse) SA**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Cork, Ireland

**BNP Paribas (Suisse) SA**

Place de Hollande 2  
Case postale  
CH-1211 Genève 11

**BNP Paribas (Suisse) SA Ex Fortis**

20, boulevard des Philosophes  
Case postale 188  
Genève, 1211  
Switzerland

**BNP Paribas (Suisse) SA Ex Fortis**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BNP Paribas (Suisse) SA Ex Fortis**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BNP Paribas (Suisse) SA Ex Fortis**

2 Place de Hollande  
Case Postale  
CH-1211 Geneva  
Switzerland

**BNP Paribas (Suisse) SA Private**

Place de Hollande 2  
Case postale  
Geneva, 1211  
Switzerland

**BNP Paribas (Suisse) SA Private**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BNP Paribas (Suisse) SA Private**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BSI AG**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BSI AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BSI AG**

Palazzo Botta  
Viale Franscini 8  
6901 - Lugano – CH

**BSI AG**

Via Peri 23  
CH-6901 Lugano  
Switzerland

**BSI Ex Banca Del Gottardo**

c/o BSI SA  
Palazzo Botta  
Viale Franscini 8  
6901 - Lugano – CH

**BSI Ex Banca Del Gottardo**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BSI Ex Banca Del Gottardo**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BSI Ex Banca Del Gottardo**

Viale S Franscini 8  
CH-6900 Lugano  
Switzerland

**Caceis Bank Luxembourg**

Caceis BL  
5 Allee Scheffer  
L-2520 Luxembourg  
Luxembourg

**CBB (BVI)/ The Alkima Fund**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**CBB (BVI)/ The Alkima Fund**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**CBT Gems Low Vol Reg**

One Montague Place 1st Floor  
East Bay Street  
P.O. Box N-4906  
Nassau, Bahamas

**CBT Gems Low Vol Reg**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**CBT Gems Low Vol Reg**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Compagnie Bancaire Helvetique**

c/o Citco Global Custody N.V.  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Compagnie Bancaire Helvetique**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Cork, Ireland

**Compagnie Bancaire Helvetique**  
Boulevard Emile-Jaques-Dalcroze 7  
P.O. Box 3754  
1211 Geneva 3

**Compagnie Bancaire Helvetique**  
Route de Chancy 6B  
Case Postale 64  
CH-1211 Geneva 8  
Switzerland

**Centrum Bank AG (AMS)**  
c/o Citco Global Custody N.V.  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Centrum Bank AG (AMS)**  
c/o Citco Global Custody N.V.  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Centrum Bank AG (AMS)**  
c/o Centrum Bank Aktiengesellschaft  
Kirchstrasse 3  
9490 Vaduz  
Liechtenstein

**Centrum Bank AG (AMS)**  
Kirchstrasse 3  
Postfach 1168  
Vaduz FL 9490  
Liechtenstein

**Clariden Leu Ltd.**  
Bahnhofstrasse 32  
CH-8001 Zürich

**Clariden Leu Ltd.**  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165

1043BW Amsterdam  
The Netherlands

**Clariden Leu Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Clariden Leu Ltd**

Bahnhofstrasse 32  
P.O. Box CH-8070  
Zurich, Switzerland

**Corner Banca SA**

c/o Citco Global Custody N.V.  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Corner Banca SA**

c/o Citco Global Custody N.V.  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Cornèr Banca SA**

Via Canova 16  
6901 Lugano/Switzerland

**Credit Suisse AG Zurich**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Credit Suisse AG Zurich**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Credit Suisse AG Zurich**

Paradeplatz 8  
8070 Zurich  
Switzerland

**Credit Suisse AG Zurich**

P.O. Box 300  
Uetlibergstrasse 231  
CH-8070 Zurich, Switzerland

**Dexia Banque International A Luxembourg**

69 Route d'Esch  
Luxembourg, 1470  
Luxembourg

**Dexia Banque International A Luxembourg**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Dexia Banque International A Luxembourg**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Dexia Banque International A Luxembourg**

69 Route D'Esch  
Luxembourg L-2953  
Luxembourg

**Dresdner Bank Schweiz**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Dresdner Bank Schweiz**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Dresdner Bank Schweiz**

c/o LGT Bank (Switzerland) Ltd  
Utoquai 55  
Zurich, 8034  
Switzerland

**Dresdner Bank Schweiz**

LGT Bank In Liechtenstein AG ex DBS  
Herrengasse 12  
Vaduz FL-9490  
Liechtenstein

**EFG Bank SA Switzerland**

Talstrasse, 82  
P.O. Box 6084  
8023 Zurich  
Switzerland

**EFG Bank SA Switzerland**

24 Quai du Seujet  
CP 2391 1211 Geneve 2  
Switzerland

**EFG Eurofinancier D'Invest MCL**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**EFG Eurofinancier D'Invest MCL**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**EFG Eurofinancier D'Invest MCL**

15 Avenue D'Ostende  
Monaco 98000  
Monaco

**EFG Eurofinancier D'Invest MCL**

Villa les Aigles  
15 Avenue D'Ostenede  
Monaco MC 9800



**Endurance Absolute Ltd. Master**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Endurance Absolute Ltd. Master**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Endurance Absolute Ltd. Master**

c/o Argyle Investment Advisors  
Iveagh Ltd  
21 Queen Anne's Gate  
London SW1H 9BU  
UK

**Fairfield Investment GCI**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Fairfield Investment GCI**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Fairfield Investment GCI**

Fairfield Greenwich Group  
Finance Group  
919 Third Avenue  
New York 10022

**Fairfield Investment Fund Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**Fairfield Investment Fund Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Fairfield Investment Fund Ltd**

Fairfield Greenwich Group  
Finance Group  
919 Third Avenue  
New York 10022

**Fairfield Masters Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Fairfield Masters Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Fairfield Masters Ltd.**

Fairfield Greenwich Group  
Finance Group  
919 Third Avenue  
New York 10022

**Falcon Private Bank**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Falcon Private Bank**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Falcon Private Bank**

Pelikanstrasse 37  
P.O. Box 1376  
8021 Zurich, Switzerland

**FCL IFP Global Diversified CLS**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**FCL IFP Global Diversified CLS**

c/o Citco Bank Nederland NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**FCL IFP Global Diversified CLS**

c/o Fortune Asset Management Ltd  
10 Exchange Street  
Primrose Street  
London EC2A2BY  
UK

**FIF Advanced Ltd.**

c/o Advanced Strategies Ltd  
45 Beech Street  
London  
England  
EC2Y 8AD

**FIF Advanced Ltd.**

Fairfield Greenwich Group  
Finance Group  
919 Third Avenue  
New York 10022

**FIF Advanced Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**FIF Advanced Ltd.**

c/o Citco Bank Nederland NV

Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Finter Bank Zurich**  
c/o Citco Bank Nederland NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Finter Bank Zurich**  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**Finter Bank Zurich**  
Head Office  
Claridenstrasse 35  
8002 Zurich  
Switzerland

**Finter Bank Zurich**  
Corso S Gottardo 35  
CH-6830 Chiasso  
Switzerland

**Harmony Capital Fund Ltd.**  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Harmony Capital Fund Ltd.**  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Harmony Capital Fund Ltd**  
c/o Jason Capital Partners LLP  
28 Grosvenor Street  
London W1K 4QR

UK

**Harmony Capital Fund Ltd.**

Chancery Hall  
52 Reid Street  
Hamilton HM 12, Bermuda

**IHAG Handelsbank AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**IHAG Handelsbank AG**

c/o Citco Global Custody NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**IHAG Handelsbank AG**

Bleicherweg 18  
8022- Zurich  
Switzerland

**Incore Bank AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**Incore Bank AG**

c/o Citco Bank Nederland NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**InCore Bank AG**

Dreikönigstrasse 8  
P.O. Box  
CH-8022 Zürich  
Switzerland

**JP Morgan (Suisse) SA**

c/o Citco Data Processing Services Ltd.

2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**JP Morgan (Suisse) SA**  
c/o Citco Bank Nederland NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**JP Morgan (Suisse) SA**  
Case Postale 5160  
8 rue de la Confederation,  
Geneve  
CH-1204 11 Switzerland

**Karla Multistrategies Ltd.**  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Karla Multistrategies Ltd.**  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**KBC Investments LTD.**  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**KBC Investments LTD.**  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**KBC Investments LTD.**  
111 Old Broad Street, 3rd Floor  
EC2N 1FP London

**KBC Investments LTD**

140 East 45th Street, 42nd Floor  
New York, New York 10017

**LGT Bank In Liechtenstein AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**LGT Bank In Liechtenstein AG**

c/o Citco Global Custody NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**LGT Bank In Liechtenstein AG**

Herrengasse 12  
FL-9490 Vaduz  
Leichtenstein

**Liechtensteinische LB Reinvest AMS**

c/o Liechtensteinische Landesbank AG  
Städtle 44  
P. O. Box 384  
9490 Vaduz, Liechtenstein

**Lloyds TSB Bank Geneva**

1, Place Bel-Air  
Case Postale 5145  
CH-1211 Geneva 11

**Lloyds TSB Bank Geneva**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Lloyds TSB Bank Geneva**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Lombard Odier Darier Hentsch & Cie**

11 Rue de la Corraterie  
Case Postale 1211 Geneva 11  
Switzerland

**Lombard Odier Darier Hentsch & Cie**

Rue de la Corraterie 11  
1204 Geneva  
Switzerland

**Longboat Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Longboat Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Master Capital and Hedge Fund**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Master Capital and Hedge Fund**

c/o Citco Fund Services Europe BV  
Narritaweg 165  
1043 BW Amsterdam  
The Netherlands

**Master Capital and Hedge Fund**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**NBK Banque Privee Suisse SA**

Quai du Mont Blanc 21  
P.O. Box 1923



1211 Geneva  
Switzerland

**NBK Banque Privee Suisse SA**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**NBK Banque Privee Suisse SA**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**NBK Banque Privee Suisse SA**

Quai du Mont Blanc 21  
P.O. Box 1923  
Geneva 1  
Switzerland

**Pictet & Cie**

Route Des Acacias 60  
1211 Geneve 73  
Switzerland

**PKB Privatbank AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**PKB Privatbank AG**

c/o Citco Bank Nederland NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**PKB Privatbank AG**

Via S. Balestra 1  
CH – 6901 Lugano  
Switzerland

**Private Space Ltd.**

c/o Citco Global Custody NV  
 Telestone 8 Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**Private Space Ltd.**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork Ireland

**Private Space Ltd**

7 Rue du Gabian  
 MC 98000  
 Monaco

**Quasar Funds SPC**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork, Ireland

**Quasar Funds SPC**

c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**Quasar Funds SPC a/k/a Quasar Fund SPC Class A and Class B CGCNV**

c/o Citco Fund Services Europe BV  
 Naritaweg 165  
 1043 BW Amsterdam  
 The Netherlands

**RBC Dexia Investor Service Julius Baer SICAV**

c/o RBC Dexia Investor Services Limited  
 77 Queen Victoria Street  
 London, UK  
 EC4V 4AY

**RBC Dexia Investor Service Julius Baer SICAV**

c/o RBC Dexia Investor Services Limited

71 Queen Victoria Street  
London, UK  
EC4V 4DE

**RBC Dexia Investor Service Julius Baer SICAV**

Dexia Fund Services  
69 Route D'Esch  
Luxembourg L-2953  
Luxembourg

**RBS Coutts Bank Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**RBS Coutts Bank Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**RBS Coutts Bank Ltd.**

Stauffacherstrasse 1  
P.O. Box  
CH-8022 Zurich  
Switzerland

**RBS Coutts Bank Ltd**

P.O. Box 2200  
Stauffacherstrasse 1  
CH-8022 Zurich  
Switzerland

**Richourt AAA Multistrategies**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Richourt AAA Multistrategies**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam

The Netherlands

**Rothschild Bank AG Zurich (Dublin) a/k/a Rothschild Bank AG**

Zollikerstrasse 181  
CH-8034 Zurich  
Switzerland

**Rothschild Bank AG Zurich (Dublin)**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**Rothschild Bank AG Zurich (Dublin)**

c/o Citco Global Custody NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Rothschild Bank AG Zurich (Dublin)**

c/o Rothschild Bank AG  
Zollikerstrasse 181  
8034 Zurich  
Switzerland

**Rothschild Bank Geneva (Dublin)**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**Rothschild Bank Geneva (Dublin)**

c/o Citco Global Custody NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Rothschild Bank Geneva (Dublin)**

21 rue du Rhône  
1211 Geneva  
Switzerland

**Rothschild Bank Geneva (Dublin)**

Banca Privee Edmond de Rothschild

18 rue de Hesse  
CH-1204 Geneva, Switzerland

**Rothschild Lugano Dublin**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Rothschild Lugano Dublin**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Rothschild Lugano Dublin a/k/a**

**Banca Privata Edmond de Rothschild Lugano S.A.**

Via Ginevra 2  
CH-6900 Lugano  
Switzerland

**Sella Bank AG**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Sella Bank AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Sella Bank AG**

Corso Elvezia 9  
Casella Postale 5863  
PO Box 5863  
CH-6901 Lugano  
Switzerland

**Sella Bank AG**

19 Rue de la Croix-d'Or  
Case postale  
CH-1211 Genève 3

Switzerland

**Sella Bank AG**

Corso Elvezia 9  
CH-6900 Lugano  
Switzerland

**SIS Seeganintersettle**

c/o SIX SIS Ltd  
Baslerstrasse 100  
CH-4600 Olten

**SIS Seeganintersettle**

Baslerstrasse 100  
CH-4601 Olten  
Switzerland

**SIX SIS Ltd**

Baslerstrasse 100  
CH-4600 Olten

**Six SIS Ltd**

Baslerstrasse 100  
CH-4601 Olten  
Switzerland

**SIS Seeganintersettle**

c/o SIX SIS Ltd  
Brandschenkestrasse 47  
CH-8002 Zurich

**SIX SIS Ltd**

Brandschenkestrasse 47  
CH-8002 Zurich

**Societe Generale Bank & Trust**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**Societe Generale Bank & Trust**

11 Avenue Emile Reuter  
L-2420 Luxembourg

**Societe Generale Bank & Trust**

11-13 Avenue Emile Reuter  
BP 1271 L-2420 Luxembourg

**Societe Generale Bank & Trust**

11-13 Avenue Emile Reuter  
Luxembourg L-2420  
Luxembourg

**Soundview Fund**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Soundview Fund**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Springer Fund of Funds Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Springer Fund of Funds Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Springer Fund of Funds Ltd**

c/o Union Bancaire Privee Asset Mgt  
P.O. Box HM 3399  
Hamilton HM11  
Bermuda

**Swisscanto FD Centre Clients A/C**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**Swisscanto FD Centre Clients A/C**

c/o Swisscanto Funds Centre Limited, 4th Floor  
51 Moorgate  
London EC2R 6BH  
United Kingdom

**T1 Global Fund Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**T1 Global Fund Ltd.**

c/o Citco Global Custody NV Ref 209896  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**T1 Global Fund Ltd**

c/o Trust and Gain Asset Management  
Corso San Gottardo 46  
6830 Chiasso  
Switzerland

**T1 Global Fund Ltd**

Tim Richards  
c/o Maurant Ozannes  
Harbour Centre  
42 North Church Street  
PO Box 1348  
Gran Cayman KY 1-1108  
Cayman Island

**Teorema Alternative Strategies**

c/o Teorema Asset Management Ltd  
1 Montague Place  
1st Floor  
East Bay Street  
P.O. Box N4906  
Nassau, Bahamas

**Teorema Alternative Strategies**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park



Kinsale Road  
Cork, Ireland

**Teorema Alternative Strategies**

P.O. Box 31106 SMB  
Corporate Centre West Bay Road  
Grand Cayman,  
Cayman Island

**Teorema Alternative Strategies**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**UBS AG New York**

c/o UBS AG (Inc.)  
Attn: Oswald J. Grubel, Chief Executive Officer  
Bahnhofstrasse 45  
8001  
Zurich

**UBS AG Zurich**

Albisriederplatz 8  
8004 Zürich  
Switzerland

**UBS AG Zurich**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**UBS AG Zurich**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**UBS AG Zurich**

UBS Wealth Management  
Badenerstrasse 574/C  
CH-8098 Zurich  
Switzerland

**UBS Jersey Nominees**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**UBS Jersey Nominees**

c/o Citco Global Custody NV Ref UBS Jersey  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**UBS Jersey Nominees**

P.O. Box 350  
24 Union Street  
St Helier JE4 8UJ  
Jersey, UK

**Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)**

Aeulestrasse 6  
9490 Vaduz  
Liechtenstein

**Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)**

Im Zentrum  
Vaduz FL-9490  
Liechtenstein

**Vorarlberger Landes UND Hypothekenbank Ankiengesellscharft**

Hypo-Passage 1

Bregenz, 6900  
Austria

**Vorarlberger Landes UND Hypothekenbank Ankiengesellscharft**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Vorarlberger Landes UND Hypothekenbank Ankiengesellscharft**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Vorarlberger Landes Und Hypothekenbank Ankiengesellscharft**

Hypo-Passage 1  
Bregenz 6900  
Austria

**Beneficial Owners Of The Accounts Held**

**In The Name Of CGC (NA) 1-1000**

c/o Citco Global Securities Services Ltd  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Beneficial Owners Of The Accounts Held**

**In The Name Of CGC (NA) 1-1000**

c/o Citco  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BROWN RUDNICK LLP**

Seven Times Square  
New York, New York 10036  
(212) 209-4800  
David J. Molton  
May Orenstein  
Daniel J. Saval  
Kerry Quinn

*Attorneys for the Foreign Representatives*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

<b>In re:</b>	)	<b>Chapter 15 Case</b>
<b>Fairfield Sentry Limited, et al.,</b>	)	<b>Case No. 10-13164 (BRL)</b>
<b>Debtors in Foreign Proceedings.</b>	)	<b>Jointly Administered</b>
	)	
<b>Fairfield Sentry Limited (In Official Liquidation), acting by and through the Foreign Representatives thereof,</b>	)	<b>Adv. Pro. No. 10-3635</b>
<b>Plaintiffs,</b>	)	
<b>-against-</b>	)	
<b>ABN AMRO Schweiz AG, Adler and Co Privatbank AG, Allianzbank SPA/Unifortune Conservative Side Pocket, Alternative Investment Strategies, Arsenal SPC, Arsenal SPC OBO Glasgow SEG Port, Banca Arner SA, Banca Unione Di Credito, Bank Hapoalim Switzerland Ltd., Bank Julius Baer &amp; Co. Ltd., Bank Sarasin &amp; CIE, Banque Cantonale Vaudoise, Banque Cramer &amp; CIE SA, Banque Safdie SA, Barclay's Bank PLC Singapore Wealth, BBH Lux Guardian II, BBH Lux Ref Fairfield GRN, Bbva (Suisse) SA, BCV AMC Defensive AL Fund, BNP Paribas (Suisse) SA, BNP Paribas (Suisse) SA Ex</b>	)	

Fortis, BNP Paribas (Suisse) SA Private,	)
BSI AG, BSI Ex Banca Del Gottardo, Caceis	)
Bank Luxembourg, CBB (BVI)/ The Alkima	)
Fund, CBT Gems Low Vol Reg, Compagnie	)
Bancaire Helvetique, Centrum Bank AG	)
(AMS), Fidulex Managament Inc, Lariden	)
Leu Ltd., Corner Banca SA, Credit Suisse	)
AG Zuirch, Dexia Banque International A	)
Luxembourg, Dresdner Bank Schweiz, EFG	)
Bank SA Switzerland, EFG Eurofinancier	)
D'Invest MCL, Endurance Absolute Ltd.	)
Master, Fairfield Investment GCI, Fairfield	)
Investment Fund Ltd., Fairfield Masters	)
Ltd., Falcon Private Bank, FCL IFP Global	)
Diversified CLS, FIF Advanced Ltd., Finter	)
Bank Zuirch, Harmony Capital Fund Ltd.,	)
IHAG Handelsbank AG, Incore Bank AG,	)
JP Morgan (Suisse) SA, Karla	)
Multistrategies Ltd., KBC Investments	)
LTD., LGT Bank In Liechtenstein AG,	)
Liechtensteinische LB Reinvest AMS,	)
Lloyds TSB Bank Geneva, Lombard Odier	)
Darier Hentsch & CIE, Longboat Ltd.,	)
Master Capital and Hedge Fund, NBK	)
Banque Privee Suisse SA, Pictet & CIE,	)
PKB Privatbank AG, Private Space Ltd.,	)
Quasar Funs SPC, RBC Dexia Investor	)
Service Julius Baer SICAV, RBS Coutts	)
Bank Ltd., Richourt AAA Multistrategies,	)
Rothschold Bank AG Zurich (Dublin),	)
Rothschild Bank Geneva (Dublin),	)
Rothschild Lugano Dublin, Sella Bank AG,	)
SIS Seeganintersettle, Six SIS Ltd., Societe	)
Generale Bank & Trust, Soundview Fund,	)
Springer Fund of Funds Ltd., Swisscanto	)
FD Centre Clients A/C, T1 Global Fund	)
Ltd., Teorema Alternative Strategies, UBS	)
AG New York, UBS AG Zurich, UBS Jersey	)
Nominees, Verwaltungs UND Privat-Bank	)
AG Aktiengesellschaft (AMS), Vorarlberger	)
Landes UND Hypothekenbank	)
Ankiengesellscharft and Beneficial Owners	)
of the Accounts Held in the Name of CGC	)
NA 1-1000,	)
Defendants.	)

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF NEW YORK    )

1. Christopher Michael Lau Kamg being duly sworn, deposes and says: I am not a party to the within action, am over 18 years of age and reside in Brooklyn, New York.

2. On the 22nd day of October, 2010 I caused to be served a true and correct copy of the Complaint against ABN AMBRO Schweiz AG etal., filed in this proceeding, together with a copy of the Summons in an Adversary Proceeding, by enclosing same in a postage pre-paid envelope to be delivered via International Registered Mail and depositing same in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon the following:

**SEE ATTACHED SERVICE LIST**

/s/ Christopher Michael Lau Kamg  
Christopher Michael Lau Kamg

Sworn to before me this  
6th day of April, 2011.

/s/ Vicki A. Goldstein  
Notary Public

No. 01G05078233  
Qualified in Queens County  
Commission Expires May 19, 2011

**SERVICE LIST**

**Alternative Investment Strategies**

Trafalgar Court  
Admiral Park  
St Peter Port  
Guernsey GY1 2JA

**Alternative Investment Strategies**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Alternative Investment Strategies**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Arsenal SPC**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Arsenal SPC**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Arsenal SPC OBO Glasgow SEG Port**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Arsenal SPC OBO Glasgow SEG Port**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Banque Cantonale Vaudoise**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Banque Cantonale Vaudoise**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Banque Cantonale Vaudoise**

Place St-François 14  
1003 Lausanne  
Switzerland

**Banque Cantonale Vaudoise**

BCV  
Case postale 300  
1001 Lausanne  
Switzerland

**Banque Cramer & CIE SA**

22 Avenue de Miremont  
1206 Genève, Switzerland

**Banque Cramer & CIE SA**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Banque Cramer & CIE SA**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Banque Safdie SA**

1, rue de la Tour-de-l'Ile  
Case postale 5415  
CH-1211 Genève 11



**Banque Safdie SA**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Banque Safdie SA**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Barclay's Bank PLC Singapore Wealth**

Level 29, South Tower  
One Raffles Quay South Tower  
Singapore 048583

**Barclay's Bank PLC Singapore Wealth**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Barclay's Bank PLC Singapore Wealth**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BCV AMC Defensive AL Fund**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BCV AMC Defensive AL Fund**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BNP Paribas (Suisse) SA Ex Fortis**

20, boulevard des Philosophes  
Case postale 188  
Genève, 1211  
Switzerland

**BNP Paribas (Suisse) SA Ex Fortis**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BNP Paribas (Suisse) SA Ex Fortis**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BBH Lux Ref Fairfield GRN**

c/o Brown Brothers Harriman (Luxembourg)  
2-8, Avenue Charles de Gaulle  
L-2014 LUXEMBOURG

**BBH Lux Ref Fairfield GRN**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BBH Lux Ref Fairfield GRN**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BNP Paribas (Suisse) SA Private**

Place de Hollande 2  
Case postale  
Geneva, 1211  
Switzerland

**BNP Paribas (Suisse) SA Private**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park

Kinsale Road  
Cork, Ireland

**BNP Paribas (Suisse) SA Private**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BSI AG**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BSI AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BSI AG**

Palazzo Botta  
Viale Francini 8  
6901 - Lugano – CH

**BSI Ex Banca Del Gottardo**

c/o BSI SA  
Palazzo Botta  
Viale Francini 8  
6901 - Lugano – CH

**BSI Ex Banca Del Gottardo**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BSI Ex Banca Del Gottardo**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**CBB (BVI)/ The Alkima Fund**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**CBB (BVI)/ The Alkima Fund**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**CBT Gems Low Vol Reg**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**CBT Gems Low Vol Reg**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Lariden Leu Ltd.**

Bahnhofstrasse 32  
CH-8001 Zürich

**Lariden Leu Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Lariden Leu Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Credit Suisse AG Zurich**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park

Kinsale Road  
Cork, Ireland

**Credit Suisse AG Zurich**  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Credit Suisse AG Zurich**  
Paradeplatz 8  
8070 Zurich  
Switzerland

**Dexia Banque International A Luxembourg**  
69 Route d'Esch  
Luxembourg, 1470  
Luxembourg

**Dexia Banque International A Luxembourg**  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Dexia Banque International A Luxembourg**  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Dresdner Bank Schweiz**  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Dresdner Bank Schweiz**  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Dresdner Bank Schweiz**

c/o LGT Bank (Switzerland) Ltd  
 Utoquai 55  
 Zurich, 8034  
 Switzerland

**EFG Eurofinancier D'Invest MCL**

c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**EFG Eurofinancier D'Invest MCL**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork, Ireland

**EFG Eurofinancier D'Invest MCL**

15 Avenue D'Ostende  
 Monaco 98000  
 Monaco

**Endurance Absolute Ltd. Master**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork, Ireland

**Endurance Absolute Ltd. Master**

c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**Fairfield Investment GCI**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork, Ireland

**Fairfield Investment GCI**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Fairfield Masters Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Fairfield Masters Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Falcon Private Bank**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Falcon Private Bank**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Falcon Private Bank**

Pelikanstrasse 37  
P.O. Box 1376  
8021 Zurich, Switzerland

**FIF Advanced Ltd.**

c/o Advanced Strategies Ltd  
45 Beech Street  
London  
England  
EC2Y 8AD

**FIF Advanced Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**FIF Advanced Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Harmony Capital Fund Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Harmony Capital Fund Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Harmony Capital Fund Ltd.**

Chancery Hall  
52 Reid Street  
Hamilton HM 12, Bermuda

**Karla Multistrategies Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Karla Multistrategies Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**KBC Investments LTD.**

c/o Citco Bank Nederland NV



Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**KBC Investments LTD.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**KBC Investments LTD.**

111 Old Broad Street, 3rd Floor  
EC2N 1FP London

**Lloyds TSB Bank Geneva**

1, Place Bel-Air  
Case Postale 5145  
CH-1211 Geneva 11

**Lloyds TSB Bank Geneva**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Lloyds TSB Bank Geneva**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Longboat Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Longboat Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Master Capital and Hedge Fund**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Master Capital and Hedge Fund**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**NBK Banque Privee Suisse SA**

Quai du Mont Blanc 21  
P.O. Box 1923  
1211 Geneva  
Switzerland

**NBK Banque Privee Suisse SA**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**NBK Banque Privee Suisse SA**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Quasar Funds SPC**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Quasar Funds SPC**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**RBS Coutts Bank Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**RBS Coutts Bank Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**RBS Coutts Bank Ltd.**

Stauffacherstrasse 1  
P.O. Box  
CH-8022 Zurich  
Switzerland

**Richourt AAA Multistrategies**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Richourt AAA Multistrategies**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Rothschild Lugano Dublin**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Rothschild Lugano Dublin**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Sella Bank AG**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Sella Bank AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Sella Bank AG**

Corso Elvezia 9  
Casella Postale 5863  
PO Box 5863  
CH-6901 Lugano  
Switzerland

**Sella Bank AG**

19 Rue de la Croix-d'Or  
Case postale  
CH-1211 Genève 3  
Switzerland

**Soundview Fund**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Soundview Fund**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Springer Fund of Funds Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Springer Fund of Funds Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Teorema Alternative Strategies**

c/o Teorema Asset Management Ltd  
1 Montague Place  
1st Floor  
East Bay Street  
P.O. Box N4906  
Nassau, Bahamas

**Teorema Alternative Strategies**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Teorema Alternative Strategies**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**UBS AG Zurich**

Albisriederplatz 8  
8004 Zürich  
Switzerland

**UBS AG Zurich**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**UBS AG Zurich**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)**

Aeulestrasse 6  
9490 Vaduz  
Liechtenstein

**Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Vorarlberger Landes UND Hypothekenbank Ankiengesellscharft**

Hypo-Passage 1  
Bregenz, 6900  
Austria

**Vorarlberger Landes UND Hypothekenbank Ankiengesellscharft**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Vorarlberger Landes UND Hypothekenbank Ankiengesellscharft**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Beneficial Owners Of The Accounts Held**

**In The Name Of Citco Global Custody (NA) NV 1-1000**

c/o Citco Global Custody (NA) NV  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Beneficial Owners Of The Accounts Held  
In The Name Of Citco Global Custody (NA) NV 1-1000**  
c/o Citco Global Custody (NA) NV  
Telestone 8 – Teleport  
Naritaweg 165  
Amsterdam, 1043 BW  
Netherlands

**BROWN RUDNICK LLP**  
Seven Times Square  
New York, New York 10036  
David J. Molton  
212-209-4800

*Attorneys for the Foreign Representatives*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

<b>In re:</b>	) <b>Chapter 15 Case</b>
	)
<b>FAIRFIELD SENTRY LIMITED, et al.,</b>	) <b>Case No. 10-13164</b>
	) <b>(BRL)</b>
	)
<b>Debtors in Foreign Proceedings.</b>	) <b>Jointly Administered</b>
	)
<b>FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and</b>	)
<b>FAIRFIELD SIGMA LIMITED (IN LIQUIDATION), acting</b>	)
<b>by and through the Foreign Representatives thereof, and</b>	)
<b>KENNETH KRYS and JOANNA LAU, solely in their</b>	)
<b>capacities as Foreign Representatives and Liquidators</b>	) <b>Adv. Pro. No. 10-03635</b>
<b>thereof,</b>	) <b>(BRL)</b>
	)
<b>Plaintiffs,</b>	)
	)
<b>-against-</b>	)
	)
<b>ABN AMRO SCHWEIZ AG a/k/a ABN AMRO</b>	)
<b>(SWITZERLAND) AG, ADLER AND CO PRIVATBANK</b>	)
<b>AG, ALLIANZBANK SPA/UNIFORTUNE</b>	)
<b>CONSERVATIVE SIDE POCKET, ALTERNATIVE</b>	)
<b>INVESTMENT STRATEGIES, ARSENAL SPC, ARSENAL</b>	)
<b>SPC OBO GLASGOW SEG PORT, BANCA ARNER SA,</b>	)
<b>BANCA UNIONE DI CREDITO, BANK HAPOALIM</b>	)
<b>SWITZERLAND LTD., BANK JULIUS BAER &amp; CO. LTD.,</b>	)
<b>BANK SARASIN &amp; CIE, BANQUE CANTONALE</b>	)
<b>VAUDOISE, BANQUE CRAMER &amp; CIE SA, BANQUE</b>	)
<b>SAFDIE SA, BARCLAYS BANK PLC SINGAPORE</b>	)
<b>WEALTH a/k/a BARCLAYS BANK, PLC, BBH LUX</b>	)
<b>GUARDIAN II a/k/a BROWN BROTHERS HARRIMAN,</b>	)
<b>BBH LUX REF FAIRFIELD GRN, BBVA (SUISSE) SA,</b>	)
<b>BCV AMC DEFENSIVE AL FUND, BNP PARIBAS</b>	)
<b>(SUISSE) SA, BNP PARIBAS (SUISSE) SA EX FORTIS,</b>	)
<b>BNP PARIBAS (SUISSE) SA PRIVATE, BSI AG, BSI EX</b>	)
<b>BANCA DEL GOTTARDO, CACEIS BANK</b>	)



LUXEMBOURG, CBB (BVI)/ THE ALKIMA FUND, CBT )  
 GEMS LOW VOL REG, COMPAGNIE BANCAIRE )  
 HELVETIQUE, CENTRUM BANK AG (AMS), CLARIDEN )  
 LEU LTD., CORNER BANCA SA, CREDIT SUISSE AG )  
 ZURICH, DEXIA BANQUE INTERNATIONALE A )  
 LUXEMBOURG, DRESNER BANK SCHWEIZ, EFG )  
 BANK SA SWITZERLAND, EFG EUROFINANCIER )  
 D'INVEST MCL, ENDURANCE ABSOLUTE LTD. )  
 MASTER, FAIRFIELD INVESTMENT GCI, FAIRFIELD )  
 INVESTMENT FUND LTD., FAIRFIELD MASTERS LTD., )  
 FALCON PRIVATE BANK, FCL IFP GLOBAL )  
 DIVERSIFIED CLS, FIF ADVANCED LTD., FINTER )  
 BANK ZURICH, HARMONY CAPITAL FUND LTD., IHAG )  
 HANDELSBANK AG, INCORE BANK AG, JP MORGAN )  
 (SUISSE) SA, KARASEL ENHANCED PORTFOLIO, )  
 KARLA MULTISTRATEGIES LTD., KBC INVESTMENTS )  
 LTD., LGT BANK IN LIECHTENSTEIN AG, )  
 LIECHTENSTEINISCHE LB REINVEST AMS, LLOYDS )  
 TSB BANK GENEVA, LOMBARD ODIER DARIER )  
 HENTSCH & CIE, LONGBOAT LTD., MASTER CAPITAL )  
 AND HEDGE FUND, NATIONAL BANK OF KUWAIT, )  
 NBK BANQUE PRIVEE SUISSE SA, PICTET & CIE, PKB )  
 PRIVATBANK AG, PRIVATE SPACE LTD., QUASAR )  
 FUNDS SPC a/k/a QUASAR FUND SPC CLASS A AND )  
 CLASS B CGCNV, RBC DEXIA INVESTOR SERVICE )  
 JULIUS BAER SICAV, RBS COUTTS BANK LTD., )  
 RICHOURT AAA MULTISTRATEGIES, ROTHSCHILD )  
 BANK AG ZURICH (DUBLIN) a/k/a ROTHSCHILD BANK )  
 AG, ROTHSCHILD BANK GENEVA (DUBLIN), )  
 ROTHSCHILD LUGANO DUBLIN a/k/a BANCA PRIVATA )  
 EDMOND DE ROTHSCHILD LUGANO S.A., SELLA )  
 BANK AG, SIS SEEGANINTERSETTLE, SIX SIS LTD., )  
 SOCIETE GENERALE BANK & TRUST, SOUNDVIEW )  
 FUND, SPRINGER FUND OF FUNDS LTD., SWISSCANTO )  
 FD CENTRE CLIENTS A/C, T1 GLOBAL FUND LTD., )  
 TEOREMA ALTERNATIVE STRATEGIES, UBS AG NEW )  
 YORK, UBS AG ZURICH, UBS JERSEY NOMINEES, )  
 VERWALTUNGS UND PRIVAT-BANK AG )  
 AKTIENGESELLSCHAFT (AMS), VORARLBERGER )  
 LANDES UND HYPOTHEKENBANK )  
 AKTIENGESELLSCHAFT and BENEFICIAL OWNERS )  
 OF ACCOUNTS HELD IN THE NAME OF CGC NA 1-1000, )  
 )  
 Defendants. )



Marshall King  
Jennifer C. Halter  
Lisa D. Keith  
Gibson, Dunn & Crutcher LLP  
200 Park Avenue  
New York, New York 1016600193  
*Counsel for Defendant UBS Jersey Nominees*

3. On the 10th day of May, 2011, I caused to be served a true and correct copy of the Second Amended Complaint against ABN AMRO SCHWEIZ AG a/k/a ABN AMRO (SWITZERLAND) AG, et al., filed in this proceeding, by enclosing same in a postage pre-paid envelope to be delivered via Certified Mail and depositing same in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon the following:

**Bank Hapoalim Switzerland Ltd.**  
c/o Hapoalim U.S.A. Holding Company, Inc.  
Attn: Roni Leshchinski, Chief Executive Officer  
1177 Ave Of The Americas  
New York, New York 10036

**KBC Investments LTD**  
140 East 45th Street, 42nd Floor  
New York, New York 10017

**Fairfield Investment GCI**  
Fairfield Greenwich Group  
Finance Group  
919 Third Avenue  
New York 10022

**Fairfield Investment Fund Ltd**  
Fairfield Greenwich Group  
Finance Group  
919 Third Avenue  
New York 10022

**Fairfield Masters Ltd.**  
Fairfield Greenwich Group  
Finance Group

919 Third Avenue  
New York 10022

**FIF Advanced Ltd.**

Fairfield Greenwich Group  
Finance Group  
919 Third Avenue  
New York 10022

4. On the 10th day of May, 2011, I caused to be served a true and correct copy of the Second Amended Complaint against ABN AMRO SCHWEIZ AG a/k/a ABN AMRO (SWITZERLAND) AG, et al., filed in this proceeding, by enclosing same in a postage pre-paid envelope to be delivered via International Registered Mail and depositing same in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon the following:

**ABN Amro Schweiz AG**

c/o Citco Global Custody NV  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**ABN Amro Schweiz AG**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**ABN Amro Schweiz AG**

c/o ABN AMRO Private Banking (Switzerland)  
Case postale 3026  
CH-1211 Genève 3  
Switzerland

**ABN AMRO Schweiz AG a/k/a ABN AMRO (Switzerland) AG**

Beethovenstrasse 33  
8002 Zurich, Switzerland

**Adler and Co. Privatbank AG**

c/o Citco Global Custody NV  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Adler and Co. Privatbank AG**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Adler and Co. Privatbank AG**

Claridenstrasse 22  
8022 Zürich  
Switzerland

**Adler and Co Privatbank AG**

Claridenstreasse 22  
CH-8022 Zurich  
Switzerland

**Allianzbank SPA/Unifortune Conservative Side Pocket**

c/o Citco Global Custody N.V.  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Allianzbank SPA/Unifortune Conservative Side Pocket**

c/o Citco Global Custody N.V.  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Allianzbank SPA/Unifortune Conservative Side Pocket**

c/o AllianzBank S.p.A.  
Piazza Erculea 15  
20122 Milano  
Italy

**Allianzbank SPA/Unifortune Conservative Side Pocket**

Via Donizetti 53  
Milan 20128  
Italy

**Alternative Investment Strategies**

c/o Absolute Performance Ltd.  
Bamboo Gate  
11 Harbour Road  
Paget PG 03  
Bermuda

**Arsenal SPC**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Arsenal SPC**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Arsenal SPC**

Corporate Centre West Bay Road  
P.O. Box 31106  
SMB  
Grand Cayman, Cayman Islands

**Arsenal SPC OBO Glasgow SEG Port**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Arsenal SPC OBO Glasgow SEG Port**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Arsenal SPC Obo Glasgow SEG Port**

Rue de la Croiz 19  
1203 Geneva, Switzerland

**Banca Arner SA**

c/o Citco Global Custody NV  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Banca Arner SA**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Cork, Ireland

**Banca Arner SA**

Piazza Manzoni 8  
CH-6901 Lugano  
Switzerland

**Banca Unione Di Credito**

c/o Citco Global Custody NV  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Banca Unione Di Credito**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Banca Unione Di Credito**

c/o BSI SA  
Palazzo Riva  
Via Magatti 2  
6900 - Lugano - CH  
P.O. Box 5886, Lugano – CH  
Switzerland

**Banca Unione di Credito**

Piazza Dante 7  
CH-6901 Lugano  
Switzerland

**Bank Hapoalim Switzerland Ltd.**

18 Boulevard Royal  
B.P. 703  
L-2017 Luxembourg

**Bank Hapoalim Switzerland Ltd**

Stockerstrasse 33  
P.O. Box 1801  
CH-8027 Zurich  
Switzerland

**Bank Julius Baer & Co. Ltd.**

Bahnhofstrasse, 36 – P.O. Box  
8010 Zurich  
Switzerland

**Bank Julius Baer & Co. Ltd**

Hohlstrasse 602  
CH-8010 Zurich  
Switzerland

**Bank Sarasin & Cie**

Bk Sarasin & Cie Basel  
62 Elisabethenstrasse  
Postfach  
Basel CH-4002  
Switzerland

**Bank Sarasin & Cie**

c/o Citco Global Custody NV  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Bank Sarasin & Cie**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road



Cork, Ireland

**Bank Sarasin & Cie**

Elizabethenstrasse 62  
CH-4002 Basel  
Switzerland

**Banque Cantonale Vaudoise**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Banque Cantonale Vaudoise**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Banque Cantonale Vaudoise**

Place St-François 14  
1003 Lausanne  
Switzerland

**Banque Cantonale Vaudoise**

BCV  
Case postale 300  
1001 Lausanne  
Switzerland

**Banque Cantonale Vaudoise**

Place St. Francois 14  
CH-1001 Lausanne  
Switzerland

**Banque Cramer & CIE SA**

22 Avenue de Miremont  
1206 Genève, Switzerland

**Banque Cramer & CIE SA**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Banque Cramer & CIE SA**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Banque Cramer & Cie**

20-22 Avenue de Miremont  
P.O. Box 403  
CH-1211 Geneva 12  
Switzerland

**Banque Safdie SA**

1, rue de la Tour-de-l'Ile  
Case postale 5415  
CH-1211 Genève 11

**Banque Safdie SA**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Banque Safdie SA**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Barclay's Bank PLC Singapore Wealth**

Level 29, South Tower  
One Raffles Quay South Tower  
Singapore 048583

**Barclay's Bank PLC Singapore Wealth**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Barclay's Bank PLC Singapore Wealth**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park

Kinsale Road  
Cork, Ireland

**Barclay's Bank PLC Singapore Wealth a/k/a Barclays Bank PLC**

Level 28 One Raffles Quay  
South Tower, Singapore 048583  
Singapore

**BBH Lux Guardian II a/k/a Brown Brothers Harriman**

2-8, Avenue Charles de Gaulle  
Luxembourg L-2014  
Luxembourg

**BBH Lux Guardian II**

c/o Citco Global Custody N.V.  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BBH Lux Guardian II**

c/o Brown Brothers Harriman (Luxembourg) S.C.A  
2-8 Avenue Charles De Gaulle  
B.P. 403  
L-2014, Luxembourg

**BBH Lux Ref Fairfield GRN**

c/o Brown Brothers Harriman (Luxembourg)  
2-8, Avenue Charles de Gaulle  
L-2014 LUXEMBOURG

**BBH Lux Ref Fairfield GRN**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BBH Lux Ref Fairfield GRN**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BBH Lux Ref Fairfield GRN**

33 Boulevard Prince Henri BP 403

Luxembourg L 2014  
 Luxembourg

**BCV AMC Defensive AL Fund**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork, Ireland

**BCV AMC Defensive AL Fund**

c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**BCV AMC Defensive AL Fund**

Place St. Francois  
 CH-1001 Lausanne  
 Switzerland

**BNP Paribas (Suisse) SA**

c/o Citco Global Custody N.V.  
 c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**BNP Paribas (Suisse) SA**

c/o Citco Global Custody NV  
 c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Cork, Ireland

**BNP Paribas (Suisse) SA**

Place de Hollande 2  
 Case postale  
 CH-1211 Genève 11

**BNP Paribas (Suisse) SA Ex Fortis**

20, boulevard des Philosophes  
 Case postale 188  
 Genève, 1211  
 Switzerland

**BNP Paribas (Suisse) SA Ex Fortis**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BNP Paribas (Suisse) SA Ex Fortis**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BNP Paribas (Suisse) SA Ex Fortis**

2 Place de Hollande  
Case Postale  
CH-1211 Geneva  
Switzerland

**BNP Paribas (Suisse) SA Private**

Place de Hollande 2  
Case postale  
Geneva, 1211  
Switzerland

**BNP Paribas (Suisse) SA Private**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BNP Paribas (Suisse) SA Private**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BSI AG**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BSI AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BSI AG**

Palazzo Botta  
Viale Franscini 8  
6901 - Lugano – CH  
Switzerland

**BSI AG**

Via Peri 23  
CH-6901 Lugano  
Switzerland

**BSI Ex Banca Del Gottardo**

c/o BSI SA  
Palazzo Botta  
Viale Franscini 8  
6901 - Lugano – CH

**BSI Ex Banca Del Gottardo**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**BSI Ex Banca Del Gottardo**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**BSI Ex Banca Del Gottardo**

Viale S Franscini 8  
CH-6900 Lugano  
Switzerland

**Caceis Bank Luxembourg**

Caceis BL  
5 Allee Scheffer  
L-2520 Luxembourg  
Luxembourg

**CBB (BVI) / The Alkima Fund**

c/o Fidelity Corporate Services  
 2<sup>nd</sup> Floor Mill Mall Tower  
 Widhams Cay 1  
 Road Town, Tortola  
 British Virgin Islands

**CBB (BVI)/ The Alkima Fund**

c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**CBB (BVI)/ The Alkima Fund**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork, Ireland

**CBT Gems Low Vol Reg**

One Montague Place 1st Floor  
 East Bay Street  
 P.O. Box N-4906  
 Nassau, Bahamas

**CBT Gems Low Vol Reg**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork, Ireland

**CBT Gems Low Vol Reg**

c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**Compagnie Bancaire Helvetique**

c/o Citco Global Custody N.V.  
 c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**Compagnie Bancaire Helvetique**

c/o Citco Global Custody NV  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Cork, Ireland

**Compagnie Bancaire Helvetique**

Boulevard Emile-Jaques-Dalcroze 7  
P.O. Box 3754  
1211 Geneva 3

**Compagnie Bancaire Helvetique**

Route de Chancy 6B  
Case Postale 64  
CH-1211 Geneva 8  
Switzerland

**Centrum Bank AG (AMS)**

c/o Citco Global Custody N.V.  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Centrum Bank AG (AMS)**

c/o Citco Global Custody N.V.  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Centrum Bank AG (AMS)**

c/o Centrum Bank Aktiengesellschaft  
Kirchstrasse 3  
9490 Vaduz  
Liechtenstein

**Centrum Bank AG (AMS)**

Kirchstrasse 3  
Postfach 1168  
Vaduz FL 9490  
Liechtenstein



**Clariden Leu Ltd.**

Bahnhofstrasse 32  
CH-8001 Zürich

**Clariden Leu Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Clariden Leu Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Clariden Leu Ltd**

Bahnhofstrasse 32  
P.O. Box CH-8070  
Zurich, Switzerland

**Corner Banca SA**

c/o Citco Global Custody N.V.  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Corner Banca SA**

c/o Citco Global Custody N.V.  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Cornèr Banca SA**

Via Canova 16  
6901 Lugano/Switzerland

**Credit Suisse AG Zurich**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Credit Suisse AG Zurich**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Credit Suisse AG Zurich**

Paradeplatz 8  
8070 Zurich  
Switzerland

**Credit Suisse AG Zurich**

P.O. Box 300  
Uetlibergstrasse 231  
CH-8070 Zurich, Switzerland

**Dexia Banque International A Luxembourg**

69 Route d'Esch  
Luxembourg, 1470  
Luxembourg

**Dexia Banque International A Luxembourg**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Dexia Banque International A Luxembourg**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Dexia Banque International A Luxembourg**

69 Route D'Esch  
Luxembourg L-2953  
Luxembourg

**Dresdner Bank Schweiz**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Dresdner Bank Schweiz**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Dresdner Bank Schweiz**

c/o LGT Bank (Switzerland) Ltd  
Utoquai 55  
Zurich, 8034  
Switzerland

**Dresdner Bank Schweiz**

LGT Bank In Liechtenstein AG ex DBS  
Herrengasse 12  
Vaduz FL-9490  
Liechtenstein

**EFG Bank SA Switzerland**

Talstrasse, 82  
P.O. Box 6084  
8023 Zurich  
Switzerland

**EFG Bank SA Switzerland**

24 Quai du Seujet  
CP 2391 1211 Geneve 2  
Switzerland

**EFG Eurofinancier D'Invest MCL**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**EFG Eurofinancier D'Invest MCL**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**EFG Eurofinancier D'Invest MCL**

15 Avenue D'Ostende  
Monaco 98000

Monaco

**EFG Eurofinancier D'Invest MCL**

Villa les Aigles  
 15 Avenue D'Ostenede  
 Monaco MC 9800

**Endurance Absolute Ltd. Master**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork, Ireland

**Endurance Absolute Ltd. Master**

c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**Endurance Absolute Ltd. Master**

c/o Argyle Investment Advisors  
 Iveagh Ltd  
 21 Queen Anne's Gate  
 London SW1H 9BU  
 UK

**Fairfield Investment GCI**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork, Ireland

**Fairfield Investment GCI**

c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**Fairfield Investment Fund Ltd.**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork Ireland

**Fairfield Investment Fund Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Fairfield Masters Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Fairfield Masters Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Falcon Private Bank**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Falcon Private Bank**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Falcon Private Bank**

Pelikanstrasse 37  
P.O. Box 1376  
8021 Zurich, Switzerland

**FCL IFP Global Diversified CLS**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**FCL IFP Global Diversified CLS**

c/o Citco Bank Nederland NV

Telestone 8 Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**FCL IFP Global Diversified CLS**  
 c/o Fortune Asset Management Ltd  
 10 Exchange Street  
 Primrose Street  
 London EC2A2BY  
 UK

**FIF Advanced Ltd.**  
 c/o Advanced Strategies Ltd  
 45 Beech Street  
 London  
 England  
 EC2Y 8AD

**FIF Advanced Ltd.**  
 c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork, Ireland

**FIF Advanced Ltd.**  
 c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**Finter Bank Zurich**  
 c/o Citco Bank Nederland NV  
 Telestone 8 Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**Finter Bank Zurich**  
 c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork Ireland

**Finter Bank Zurich**

Head Office  
Claridenstrasse 35  
8002 Zurich  
Switzerland

**Finter Bank Zurich**

Corso S Gottardo 35  
CH-6830 Chiasso  
Switzerland

**Harmony Capital Fund Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Harmony Capital Fund Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Harmony Capital Fund Ltd**

c/o Jason Capital Partners LLP  
28 Grosvenor Street  
London W1K 4QR  
UK

**Harmony Capital Fund Ltd.**

Chancery Hall  
52 Reid Street  
Hamilton HM 12, Bermuda

**IHAG Handelsbank AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**IHAG Handelsbank AG**

c/o Citco Global Custody NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam

The Netherlands

**IHAG Handelsbank AG**

Bleicherweg 18  
8022- Zurich  
Switzerland

**Incore Bank AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**Incore Bank AG**

c/o Citco Bank Nederland NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**InCore Bank AG**

Dreikönigstrasse 8  
P.O. Box  
CH-8022 Zürich  
Switzerland

**JP Morgan (Suisse) SA**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**JP Morgan (Suisse) SA**

c/o Citco Bank Nederland NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**JP Morgan (Suisse) SA**

Case Postale 5160  
8 rue de la Confederation,  
Geneve  
CH-1204 11 Switzerland



**Karla Multistrategies Ltd.**

c/o Citco Global Custody N.V.  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Karla Multistrategies Ltd.**

c/o Citco Global Custody N.V.  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**KBC Investments LTD.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**KBC Investments LTD.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**KBC Investments LTD.**

111 Old Broad Street, 3rd Floor  
EC2N 1FP London

**LGT Bank In Liechtenstein AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**LGT Bank In Liechtenstein AG**

c/o Citco Global Custody NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**LGT Bank In Liechtenstein AG**

Herrengasse 12  
FL-9490 Vaduz  
Liechtenstein

**Liechtensteinische LB Reinvest AMS**

c/o Liechtensteinische Landesbank AG  
Städtle 44  
P. O. Box 384  
9490 Vaduz, Liechtenstein

**Lloyds TSB Bank Geneva**

1, Place Bel-Air  
Case Postale 5145  
CH-1211 Geneva 11

**Lloyds TSB Bank Geneva**

Place Bel-Air 1  
CH-1211 Geneva 2  
Switzerland

**Lloyds TSB Bank Geneva**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Lloyds TSB Bank Geneva**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Lombard Odier Darier Hentsch & Cie**

11 Rue de la Corraterie  
Case Postale 1211 Geneva 11  
Switzerland

**Lombard Odier Darier Hentsch & Cie**

Rue de la Corraterie 11  
1204 Geneva  
Switzerland

**Longboat Ltd.**

c/o Citco Bank Nederland NV

Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**Longboat Ltd.**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork, Ireland

**Master Capital and Hedge Fund**

c/o Citco Data Processing Services Ltd.  
 2600 Cork Airport Business Park  
 Kinsale Road  
 Cork, Ireland

**Master Capital and Hedge Fund**

c/o Citco Fund Services Europe BV  
 Narritaweg 165  
 1043 BW Amsterdam  
 The Netherlands

**Master Capital and Hedge Fund**

c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165  
 1043BW Amsterdam  
 The Netherlands

**Master Capital and Hedge Fund**

c/o Graham Cook, TMF (BVI) Limited  
 TMF Place, PO Box 964  
 Road Town Tortola  
 British Virgin Islands

**NBK Banque Privee Suisse SA**

Quai du Mont Blanc 21  
 P.O. Box 1923  
 1211 Geneva  
 Switzerland

**NBK Banque Privee Suisse SA**

c/o Citco Bank Nederland NV  
 Telestone 8 – Teleport  
 Narritaweg 165

1043BW Amsterdam  
The Netherlands

**NBK Banque Privee Suisse SA**  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**NBK Banque Privee Suisse SA**  
Quai du Mont Blanc 21  
P.O. Box 1923  
Geneva 1  
Switzerland

**Pictet & Cie**  
Route Des Acacias 60  
1211 Geneve 73  
Switzerland

**PKB Privatbank AG**  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**PKB Privatbank AG**  
c/o Citco Bank Nederland NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**PKB Privatbank AG**  
Via S. Balestra 1  
CH – 6901 Lugano  
Switzerland

**Private Space Ltd.**  
c/o Citco Global Custody NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Private Space Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**Private Space Ltd**

7 Rue du Gabian  
MC 98000  
Monaco

**Quasar Funds SPC**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Quasar Funds SPC**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Quasar Funds SPC**

c/o Jarrod Farley  
Maples Corporate Services Limited  
PO Box 309, Ugland House  
South Church Street  
George Town, Grand Cayman KY-1104  
Cayman Islands

**Quasar Funds SPC a/k/a Quasar Fund SPC Class A and Class B CGCNV**

c/o Citco Fund Services Europe BV  
Narritaweg 165  
1043 BW Amsterdam  
The Netherlands

**RBC Dexia Investor Service Julius Baer SICAV**

c/o RBC Dexia Investor Services Limited  
77 Queen Victoria Street  
London, UK  
EC4V 4AY

**RBC Dexia Investor Service Julius Baer SICAV**

c/o RBC Dexia Investor Services Limited  
71 Queen Victoria Street  
London, UK

EC4V 4DE

**RBC Dexia Investor Service Julius Baer SICAV**

Dexia Fund Services  
69 Route D'Esch  
Luxembourg L-2953  
Luxembourg

**RBS Coutts Bank Ltd.**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**RBS Coutts Bank Ltd.**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**RBS Coutts Bank Ltd.**

Stauffacherstrasse 1  
P.O. Box  
CH-8022 Zurich  
Switzerland

**RBS Coutts Bank Ltd**

P.O. Box 2200  
Stauffacherstrasse 1  
CH-8022 Zurich  
Switzerland

**Richourt AAA Multistrategies**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Richourt AAA Multistrategies**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Rothschild Bank AG Zurich (Dublin) a/k/a Rothschild Bank AG**

Zollikerstrasse 181  
CH-8034 Zurich  
Switzerland

**Rothschild Bank AG Zurich (Dublin)**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**Rothschild Bank AG Zurich (Dublin)**

c/o Citco Global Custody NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Rothschild Bank AG Zurich (Dublin)**

c/o Rothschild Bank AG  
Zollikerstrasse 181  
8034 Zurich  
Switzerland

**Rothschild Bank Geneva (Dublin)**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**Rothschild Bank Geneva (Dublin)**

c/o Citco Global Custody NV  
Telestone 8 Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Rothschild Bank Geneva (Dublin)**

21 rue du Rhône  
1211 Geneva  
Switzerland

**Rothschild Bank Geneva (Dublin)**

Banca Privee Edmond de Rothschild  
18 rue de Hesse  
CH-1204 Geneva, Switzerland

**Rothschild Lugano Dublin**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Rothschild Lugano Dublin**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Rothschild Lugano Dublin a/k/a**

Banca Privata Edmond de Rothschild Lugano S.A.  
Via Ginevra 2  
CH-6900 Lugano  
Switzerland

**Sella Bank AG**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Sella Bank AG**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Sella Bank AG**

Corso Elvezia 9  
Casella Postale 5863  
PO Box 5863  
CH-6901 Lugano  
Switzerland

**Sella Bank AG**

19 Rue de la Croix-d'Or  
Case postale  
CH-1211 Genève 3  
Switzerland



**Sella Bank AG**  
Corso Elvezia 9  
CH-6900 Lugano  
Switzerland

**SIS Seeganintersettle**  
c/o SIX SIS Ltd  
Baslerstrasse 100  
CH-4600 Olten

**SIS Seeganintersettle**  
Baslerstrasse 100  
CH-4601 Olten  
Switzerland

**SIX SIS Ltd**  
Baslerstrasse 100  
CH-4600 Olten

**Six SIS Ltd**  
Baslerstrasse 100  
CH-4601 Olten  
Switzerland

**SIS Seeganintersettle**  
c/o SIX SIS Ltd  
Brandschenkestrasse 47  
CH-8002 Zurich

**SIX SIS Ltd**  
Brandschenkestrasse 47  
CH-8002 Zurich

**Societe Generale Bank & Trust**  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork Ireland

**Societe Generale Bank & Trust**  
11 Avenue Emile Reuter  
L-2420 Luxembourg

**Societe Generale Bank & Trust**  
11-13 Avenue Emile Reuter  
BP 1271 L-2420 Luxembourg

**Societe Generale Bank & Trust**

11-13 Avenue Emile Reuter

Luxembourg L-2420

Luxembourg

**Soundview Fund**

c/o Citco Data Processing Services Ltd.

2600 Cork Airport Business Park

Kinsale Road

Cork, Ireland

**Soundview Fund**

c/o Citco Bank Nederland NV

Telestone 8 – Teleport

Narritaweg 165

1043BW Amsterdam

The Netherlands

**Springer Fund of Funds Ltd.**

c/o Citco Data Processing Services Ltd.

2600 Cork Airport Business Park

Kinsale Road

Cork, Ireland

**Springer Fund of Funds Ltd.**

c/o Citco Bank Nederland NV

Telestone 8 – Teleport

Narritaweg 165

1043BW Amsterdam

The Netherlands

**Springer Fund of Funds Ltd**

c/o Union Bancaire Privee Asset Mgt

P.O. Box HM 3399

Hamilton HM11

Bermuda

**Swisscanto FD Centre Clients A/C**

c/o Citco Data Processing Services Ltd.

2600 Cork Airport Business Park

Kinsale Road

Cork Ireland

**Swisscanto FD Centre Clients A/C**

c/o Swisscanto Funds Centre Limited, 4th Floor

51 Moorgate

London EC2R 6BH  
United Kingdom

**Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)**

Aeulestrasse 6  
9490 Vaduz  
Liechtenstein

**Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Verwaltungs UND Privat-Bank AG Aktiengesellschaft (AMS)**

Im Zentrum  
Vaduz FL-9490  
Liechtenstein

**Vorarlberger Landes UND Hypothekenbank Ankiengesellscharft**

Hypo-Passage 1  
Bregenz, 6900  
Austria

**Vorarlberger Landes UND Hypothekenbank Ankiengesellscharft**

c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

**Vorarlberger Landes UND Hypothekenbank Ankiengesellscharft**

c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**Vorarlberger Landes Und Hypothekenbank Ankiengesellschaft**

Hypo-Passage 1

Bregenz 6900

Austria

**Beneficial Owners Of The Accounts Held**

**In The Name Of CGC NA 1-1000**

c/o Citco Global Custody NA

2600 Cork Airport Business Park

Kinsale Road

Cork, Ireland

**Beneficial Owners Of The Accounts Held**

**In The Name Of CGC NA 1-1000**

c/o Citco Global Custody NA

Telestone 8 – Teleport

Naritaweg 165

Amsterdam, 1043 BW

Netherlands

5. On the 27th day of May, 2011, I caused to be served a true and correct copy of the Second Amended Complaint against ABN AMRO SCHWEIZ AG a/k/a ABN AMRO (SWITZERLAND) AG, et al., filed in this proceeding, together with a copy of the Amended Summons in an Adversary Proceeding, by enclosing same in a postage pre-paid envelope to be delivered via International Registered Mail and depositing same in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York, upon the following:

**Karasel Enhanced Portfolio**

c/o Citco Global Custody N.V.

c/o Citco Data Processing Services Ltd.

2600 Cork Airport Business Park

Kinsale Road

Cork, Ireland

**Karasel Enhanced Portfolio**

c/o Citco Global Custody N.V.

c/o Citco Bank Nederland NV

Telestone 8 – Teleport

Narritaweg 165

1043BW Amsterdam  
The Netherlands

**National Bank of Kuwait**

P. O. Box 95 Safat, 13001 Kuwait  
Abdullah Al Ahmad Street, Sharq  
State of Kuwait

**National Bank of Kuwait**

c/o Citco Global Custody N.V.  
c/o Citco Bank Nederland NV  
Telestone 8 – Teleport  
Narritaweg 165  
1043BW Amsterdam  
The Netherlands

**National Bank of Kuwait**

c/o Citco Global Custody N.V.  
c/o Citco Data Processing Services Ltd.  
2600 Cork Airport Business Park  
Kinsale Road  
Cork, Ireland

---

/s/ Christopher Michael Lau Kamg  
Christopher Michael Lau Kamg

Sworn to before me this  
17th day of June, 2011.

/s/ Evelyn Gonzalez  
Notary Public

No. 01GO5045489  
Qualified In Queens County  
Commission Expires June 19, 2011

